

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

IN RE: ETHICON, INC. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	Master File No. 2:12-MD-02327 MDL No. 2327
THIS DOCUMENT RELATES TO ETHICON WAVE 3 CASES	JOSEPH R. GOODWIN U.S. DISTRICT JUDGE

**DEFENDANTS' MOTION TO STRIKE AUGUST 29, 2016
DEPOSITION OF JERRY BLAIVAS, M.D.**

Defendants Ethicon, Inc., Ethicon LLC, and Johnson & Johnson hereby move to strike the August 29, 2016 Deposition of Jerry Blaivas, M.D., filed as Exhibit A to Plaintiffs' Opposition to Defendants' Motion and Memorandum in Support of its Motion to Exclude Certain General Opinions of Jerry Blaivas, M.D., as well as all references to the deposition referenced in that Opposition. *See* Doc. 2947.¹ As grounds for this motion, Plaintiffs improperly noticed the deposition and have inappropriately sought to use it as an opportunity to modify and add to Dr. Blaivas's opinions. In support of this motion, Defendants have filed a memorandum of law herewith, as well as correspondence of the parties' counsel, filed herewith as Exhibit A.

Respectfully Submitted,

/s/ Christy D. Jones

Christy D. Jones
Butler Snow LLP
1020 Highland Colony Parkway
Suite 1400 (39157)
P.O. Box 6010
Ridgeland, MS 39158-6010
(601) 985-4523
Christy.jones@butlersnow.com

¹ Plaintiffs filed the deposition in the Wave 3 cases, but the deposition should be excluded for any purpose.

/s/ David B. Thomas

David B. Thomas (W. Va. Bar #3731)

Thomas Combs & Spann PLLC

300 Summers Street

Suite 1380 (25301)

P.O. Box 3824

Charleston, WV 25338

(304) 414-1807

dthomas@tcspllc.com

COUNSEL FOR DEFENDANTS
ETHICON, INC. ETHICON LLC, AND
JOHNSON & JOHNSON

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CERTIFICATE OF SERVICE

I, Christy D. Jones, certify that on this day I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

/s/ Christy D. Jones

Christy D. Jones
Butler Snow LLP
1020 Highland Colony Parkway
Suite 1400 (39157)
P.O. Box 6010
Ridgeland, MS 39158-6010
(601) 985-4523
christy.jones@butlersnow.com

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